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LETTER DATED 12 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED ARAB EMIRATES TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In my capacity as Chairman of the Arab Group for the current month of July, I have the honour to transmit herewith resolution R.5303-OS(99)-M4-19 April 1993 adopted by the Council of the League of Arab States on 19 April 1993 at its ninety-ninth ordinary session, concerning the combating of unlawful acts against the safety of civil aviation.

I should be grateful if you would have this letter and its annex circulated as an official document of the Security Council.

(Signed) Mohammad J. SAMHAN
Ambassador
Permanent Representative of
the United Arab Emirates
to the United Nations
Chairman of the Arab Group

Annex I

Baghdad Declaration on the combating of unlawful acts against the safety of civil aviation

The Council of the League,

Having taken cognizance of:

- The memorandum of the General Secretariat,
- The draft Baghdad Declaration on the combating of unlawful acts against the safety of civil aviation,
- The recommendation of the Standing Legal Committee at its meeting from 27 to 30 October 1992,
- Resolution 5249 of the Council of the League, adopted on 13 September 1992 at its ninety-eighth session,
- Resolution 115 of the Council of Arab Ministers of Transport, adopted on 20-21 October 1992 at its eighth session,
- The recommendation of the Legal Affairs Committee,

Decides:

To approve the Baghdad Declaration on the combating of unlawful acts against the safety of civil aviation in the form annexed hereto.

(R.5303-OS(99)-M4-19 April 1993)

Annex II

Baghdad Declaration on the combating of unlawful acts against the safety of civil aviation

The Council of Arab Ministers of Transport at its fifth session, held at Baghdad from 21 to 22 October 1989, being aware of the security hazards arising from unlawful acts against the safety of civil aviation and endangering passengers, taking into account the negative impact of such acts on air transport activity and commercial exchanges at the Arab and the international levels,

Realizing the urgent need for the Arab States to cooperate and to coordinate their positions on the combating of unlawful acts against the safety of civil aviation,

Declares its commitment to the principles of combating unlawful acts against the safety of civil aviation, as follows:

I. The following shall be deemed to be unlawful acts against the safety of civil aviation:

(a) Seizing or taking control of a civil aircraft by the use or threat of force or by the use of any kind of coercion, whatever the motive may be;

(b) Acts of sabotage or armed attack against aircraft, ground installations or airlanes used for civil aviation purposes;

(c) Any kind of participation in the above acts.

II. Means of combating unlawful acts against the safety of civil aviation:

The Arab States undertake to adopt the measures contained in the Hague Convention for the Suppression of Unlawful Seizure of Aircraft of 1970 and the Montreal Convention for the Suppression of Unlawful Acts against Civil Aviation of 1971, most particularly in the following cases:

- Where the offence is committed on board an aircraft registered in a State signatory to the two above-mentioned conventions;
- Where the aircraft on which the offence was committed lands in the territory of such State and the suspect is on board or in the territory of that State;
- Where the offence is committed on board an aircraft leased without crew to a lessee whose principal place of business or permanent domicile is in such State.

Jurisdiction over the suspect:

The Arab State in whose territory the suspect is arrested shall extradite the suspect in accordance with the provisions of the relevant international

conventions, unless the suspect whose extradition is sought is a national of the State in which he was arrested, in which case he shall be tried in that State.

The Arab State in whose territory the offence was committed or the suspect arrested shall notify the International Civil Aviation Organization, in accordance with its national legislation, of all information pertaining to the incident.

III. Arab States that have not yet acceded to the international conventions for the combating of unlawful acts against the safety of civil aviation, in particular the Tokyo Convention of 1963, the Hague Convention of 1970, the Montreal Convention of 1971 and its Protocol for the Suppression of Unlawful Acts of violence at Airports Serving International Civil Aviation, signed at Montreal in 1988, are called upon to do so.

IV. The Arab States shall cooperate in combating unlawful acts against the safety of civil aviation by adopting the following measures:

(a) Taking all measures to prevent the occurrence of unlawful acts in their territory, as provided for in this Declaration and in international conventions and the instruments and resolutions adopted by the International Civil Aviation Organization;

(b) Returning aircraft and freight to their lawful owner, while facilitating the prompt onward passage of passengers and crew;

(c) Exchanging information and data and coordinating appropriate measures for the suppression of the unlawful acts specified in the Declaration;

(d) The acts covered by the Declaration shall be deemed extraditable in any extradition treaty concluded between Arab member States.